

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

IN THE MATTER OF THE COMPLAINT )  
OF NATIONAL STARCH, ALLIANCE, AND )  
PINNACLE AGAINST THE BOARD OF )  
DIRECTORS FOR UTILITIES OF THE )  
DEPARTMENT OF PUBLIC UTILITIES OF )  
CITY OF INDIANAPOLIS, AS SUCCESSOR )  
TRUSTEE OF A PUBLIC CHARITABLE )  
TRUST D/B/A CITIZENS GAS & COKE )  
UTILITY, FOR ENFORCEMENT OF )  
SETTLEMENT AGREEMENT AND FOR )  
DETERMINATION OF JUST AND )  
REASONABLE RATES IN CONNECTION )  
WITH BILLING DISPUTE )

FILED

MAY 25 2004

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42578

RESPONDENT: )  
THE BOARD OF DIRECTORS FOR )  
UTILITIES OF THE DEPARTMENT OF )  
PUBLIC UTILITIES OF THE CITY OF )  
INDIANAPOLIS, AS SUCCESSOR TRUSTEE )  
OF A PUBLIC CHARITABLE TRUST D/B/A )  
CITIZENS GAS & COKE UTILITY )

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On May 20, 2004, Complainants, National Starch & Chemical Company ("National"), Alliance Energy Services, LLC n/k/a Constellation NewEnergy-Gas Division, LLC ("CNE-Gas"), and Pinnacle Energy LLC ("Pinnacle") (collectively "Transportation Group") filed an *Amended Unopposed Motion for Extension of Time and Re-Scheduling of other Pre-Filing Dates* ("Motion"). In its Motion Transportation Group advises that counsel for the parties have agreed to a revised schedule that would include a date for Citizens Gas and the OUCC to file cross-answering testimony and make a modest adjustment to one other proposed date in light of that change.

The Presiding Officers having reviewed the Motion and being duly advised in the premises hereby GRANT the Motion and revise the procedural schedule as follows:

1. **Respondent's and Public's Prefiling Date.** The Respondent and Public should prefile with the Commission their prepared testimony and exhibits constituting their respective cases-in-chief on or before July 20, 2004. Copies of same should be served upon all parties of record.

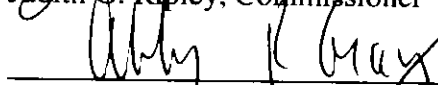
2. **Respondent's and Public's Reply.** Respondent and Public should prefile with the Commission their responsive testimony to each other on or before July 28, 2004. Copies of same should be served upon all parties of record.

3. **Complainants' Rebuttal Prefiling.** The Complainant should prefile with the Commission its prepared rebuttal testimony on or before August 3, 2004. Copies of same should be served upon all parties of record.

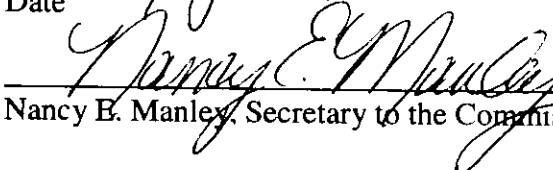
4. **Hearing.** The Settlement hearing is now continued to the Evidentiary hearing to commence at 9:00 a.m. EST, on Wednesday, August 11, 2004 in Room E-306 of the Indiana Government Center South, Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Complainant should present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Public's or Intervenors' witnesses.

**IT IS SO ORDERED.**

  
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Judith G. Ripley, Commissioner

  
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Abby R. Gray, Administrative Law Judge

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Nancy E. Manley, Secretary to the Commission